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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TESLA, INC. SECURITIES
LITIGATION

No. C-18-04865

Hon. Edward M. Chen

**DECLARATION OF ADAM M. APTON IN
SUPPORT OF LEAD PLAINTIFF'S MOTION
FOR LEAVE TO SERVE NON-PARTY
DOCUMENT PRESERVATION SUBPOENAS**

I, Adam M. Apton, hereby declare as follows:

1. I am a partner at the law firm of Levi & Korsinsky, LLP, counsel for Lead Plaintiff Glen Littleton ("Plaintiff"), and a member in good standing of the bar of the State of California. I am licensed to practice before this Court. On behalf of Plaintiff, I respectfully submit this declaration in support of his motion for leave to serve non-party document preservation subpoenas.

2. Attached hereto as Exhibit A is a true and correct copy of the Business Insider article titled "Rapper Azealia Banks claims she was at Elon Musk's house over the weekend as he was 'scrounging for investors'" dated August 13, 2018.

3. Attached hereto as Exhibit B is a true and correct copy of the Gizmodo article titled "Elon Musk Responds to Azealia Banks' Claims of Ghosting, Tweeting, and LSD: I Don't Know Her." dated August 13, 2018.

3 5. Attached hereto as Exhibit D is a draft subpoena that, if leave is granted, would be served
4 upon the non-parties identified in the motion.

5 I declare under penalty of perjury that the foregoing facts are true and correct. Executed this 12th
6 day of December, 2018.

7
8 /s/ Adam M. Apton
Adam M. Apton